

**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : SIC/DHR.9/2013
Appellant : Md. Mokaddes Ali.
Respondent : 1. The SPIO, O/o the Block Elementary Education
Officer (BEEO), Gauripur, Dhubri
2. The SPIO/Head Teacher, Sater Alga River Block L.P.
School, Sater Alga, Dhubri
Date of hearing : 02.03.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
02.03.2016

The SPIO/Head Teacher present.

The SPIO/BEEO, Gauripur absent. However, a Written Statement dated 01.03.2016 received.

The First Appellate Authority (FAA)/District Elementary Education Officer, Dhubri has neither deputed a representative nor submitted any W/S.

The Appellant present.

Heard the Appellant. He has submitted that he has not received the information he had sought for through his RTI Application dated 11.05.2012 submitted to SPIO, office of the DEEO, Dhubri.

Perused the case records. It is seen that the SPIO/DEEO, Dhubri had transferred the Application to BEEO, Gauripur through a letter dated 17.05.2012, and the BEEO in turn transferred the same through a letter dated 11.06.2012 to the Headmaster, Sater Alga River Block L.P. School to which the information sought for was related. It has further been seen that on not receiving the information the Appellant filed the First Appeal dated 17.07.2012 with the DEEO, Dhubri.

Perused the W/S received from the SPIO/BEEO, Gauripur. Through the W/S, the SPIO has merely conveyed the request of the Head Teacher of the concerned school for time to provide relevant documents in connection with the RTI Application.

Perused the W/S dated 02.03.2016 submitted by the SPIO/Head Teacher of the said school. Through the W/S, the SPIO/Head Teacher has sought for time for providing the information and connected documents to the RTI Applicant. He has not submitted any explanation as to why penalty shall not be imposed on him/her under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days.

As stated above, the FAA/DEEO, Dhubri has not apprised the Commission about the steps he may have taken to dispose of the First Appeal in time in accordance with the RTI Act, 2005. No evidence has also been received regarding the disposal of the Appeal.

In view of the facts brought out above, the Commission hereby orders the following –

1. The SPIO/Head Teacher shall furnish the full information as sought for by the Applicant/Appellant, free of cost, within a period of 10 days of receipt of this order,

2. The SPIO/Head Teacher shall submit a written explanation to this Commission, within 15 days of receipt of this order, as to why penalty shall not be imposed on him/her under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days, and
3. First Appellate Authority/DEEO, Dhubri shall consider and dispose of the First Appeal dated 17.07.2012, with a speaking order, within a period of 21 days of receipt of this order.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/DHR.9/2013/ -A

Dtd. 02.03.2016

Copy to:

1. The SPIO, office of the Block Elementary Education Officer, Dhubri, PO- Dhubri, Dist-Dhubri, Assam, Pin- 783331 for information.
2. The SPIO/Headmaster, Sater Alga River Block L.P. School, Sater Alga, PO- Asharikandi, Dist- Dhubri, Assam, Pin- 783331 for information and necessary action.
3. The First Appellate Authority/District Elementary Education Officer, Dhubri, PO- Dhubri, Dist-Dhubri, Assam, Pin- 783301 for information and necessary action.
4. Md. Mokaddes Ali, Advocate, Dhubri Bar Association, Dhubri, PO- Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission